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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.        | CONFIRMATION NO.       |
|--|-------------|----------------------|----------------------------|------------------------|
| 10/803,473   | 03/17/2004  | Erik J. Reed         | 324212008500               | 5469                   |
| 76102 7590 08/21/2008<br>YAHOO C/O MOFO PALO ALTO<br>755 PAGE MILL ROAD<br>PALO ALTO, CA 94304 |             |                      | EXAMINER<br>DEBNATH, SUMAN |                        |
|  |             |                      | ART UNIT<br>2135           | PAPER NUMBER           |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



**DETAILED ACTION**

1. Claims 15-29 and 46-50 are pending in this application.
2. Claims 1-14 and 30-45 are cancelled.

***Continued Examination Under 37 CFR 1.114***

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/06/2008 has been entered.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 15-29 and 46-50 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. Following limitations are either claimed outside the scope of the invention or omitted completely:

In particular claim 15 recites "decrement a second count value associated with the selected table entry of the plurality of table entries in response to the even identification failing to match an event identification associated with the selected table

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entry” in line 19. However, according to FIG. 2 and 3, a selected count value is decremented when incoming event id is not in the screening table. Hence, incoming event Id is compared with the entire table to find a match (see specification, [0033], “if the incoming event ID does not match **any event Ids in the screening table**, execution proceeds to step 220”). On the other hand, claimed limitation only compares with selected table entry. If count value of selected table entry is decremented when incoming event Id doesn't match only the selected table entry, other table entry may match incoming event Id which could be abusive but will never be identified.

Furthermore, claim 15 recites “replace the selected table entry with the event identification associated with the received event in response to the second count value equaling a predetermined value” in line 22. However, according to FIG. 2, the above limitation is executed in step 230 which has proceeding steps 220, 225 and 210. Hence, selected table entry is replaced by new event Id associated with the received event when count in selected screening table is zero in response to decrementing incoming event id is not in the screening table and after decrementing count value for currently selected screening table entry (see FIG. 2, steps 210, 220, 225, 230 and Specification, [0034]). Unless steps 210 and 220 are included with the claimed limitation, selected table entry will be replaced by new incoming table entry even when other table entry matches the incoming event id which would result in having a multiple table entry with same even Id.

Moreover, an essential step is omitted from claimed invention: “advance the pointer to the next entry of the screening table, thereby selecting a different entry in the

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screening table. If the pointer is at the last entry of the screening table, an embodiment of step 235 resets the pointer to the first entry of the screening table (see Specification [0035] and FIG. 2, step 235)". Applicant gave rationale for above limitation: "By advancing the pointer cyclically through the screening table, ensures that the count values of each table entry are "aged" in proportion to the event rate, rather than an absolute measure of time. This allows event Ids that become inactive to eventually drop off the screening table, while continually active event Ids stay on the screening table (see Specification, [0036])." On the other hand, ff the selected table entry doesn't cycle through screening table, count value of active event Ids could be decremented and eventually would be dropped from the table. Hence, abusive event Ids will not be identified.

Appropriate correction is required.

### ***Allowable Subject Matter***

6. Claims 15-29 and 46-50 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUMAN DEBNATH whose telephone number is (571)270-1256. The examiner can normally be reached on 8 am to 5 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. D./  
Examiner, Art Unit 2135

/KimYen Vu/

Supervisory Patent Examiner, Art Unit 2135